

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Artur Lachowicz et al.

Application No.: 10/539,048

Confirmation No.: 7390

Filed: February 3, 2006

Art Unit: 4131

For: CURABLE LIQUID ACRYLOYL GROUP
CONTAINING RESIN COMPOSITION

Examiner: Robert C. Boyle

RESPONSE TO FINAL OFFICE ACTION

INTRODUCTORY COMMENTS

In response to the Office Action dated May 12, 2009, please reconsider the above-identified U.S. patent application in light of the following remarks.

CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 CFR 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under

37 CFR 1.135. The fee under 37 CFR 1.17 should be charged to our Deposit Account No. 50-2215.

REMARKS

The rejections of claims 1-9 under 35 U.S.C. § 103 over Stark and of claims 11-33 under 35 U.S.C. § 103 over Stark and Moy are respectfully traversed.

Stark is directed to a solid product in the form of a powder or dispersion containing that solid. The reference teaches a free radical copolymerization of vinyl monomer, hydrolyzed silane monomer, epoxide monomer, and, optionally, an unsaturated 1,3-dicarbonyl monomer. Each of these monomers can be selected from a wide variety of compounds and the amounts of each can vary. To make a selection of monomers and amounts which, in combination, corresponded to the reactants and amounts in the instant claims would be serendipity since there is no guidance in the reference which points the way to make the appropriate selections. There is no disclosure specifically associating a monofunctional vinyl compound, multifunctional acrylic ester and dicarbonyl compound which has two active hydrogens in the methylene position nor are there any working examples specifically combining these materials.

More particularly, even after narrowing Stark's broader disclosure to specifically listed compounds, the vinyl monomer can still be one or more of 31 compounds, the hydrolyzed silane monomer can be one or more of 23 compounds, the epoxide monomer can be one or more of 10 compounds, and the optional unsaturated 1,3-dicarbonyl monomer can be one or more of 6 compounds. Even after ignoring the optional monomer